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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,899	09/26/2003	Rami Caspi	2003P08215US	9572

7590 08/04/2005

Siemens Corporation
Attn: Elsa Keller, Legal Administrator
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 08/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/672,899

Applicant(s)

CASPI ET AL.

Examiner

Naghmeh Mehrpour

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/26/03</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement filed reference listed in the information Disclosure Submitted on 09/26/03 have been considered by the examiner (see attached PTO-1449)

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-3, 5-16**, are rejected under 35 U.S.C. 102(e) as being anticipated by Murray (US patent Number 6,484,033 B2).

Regarding claim 1, Murray teaches a telecommunications system, comprising:

a plurality of remote clients including a positioning controller and a communications controller, said positioning controller receiving position information and said communications controller communicating said position information (col 1 lines 7-10); and

a server including a coordinating controller for maintaining a database of location-presence rules for remote clients that are being tracked (col 6 lines 31-43); wherein

said location-presence rules are user-configurable from a network client (col 4 lines 60-67, col 5 lines 1-9).

Regarding claim 2, Murray teaches a telecommunications system in accordance with claim 1, wherein said positioning controller receives global positioning network signals for determining a position of an associated network client (col 3 lines 10-63).

Regarding claim 3, Murray teaches a telecommunications system in accordance with claim 2, wherein said communications controller comprises a cellular network controller for transmitting on a cellular telephone network to said server (col 3 lines 65-67, col 4 lines 1-8).

Regarding claim 5, Murray teaches a telecommunications system in accordance with claim 1, wherein said remote clients receive said location-presence rules from said server (col 6 lines 21-60).

Regarding claim 6, Murray teaches a telecommunications system in accordance with claim 1, wherein said remote clients transmit current location information to said server (col 6 lines 21-60).

Regarding claim 7, Murray teaches a telecommunications server, comprising:

a presence control unit adapted to receive and maintain presence information for a plurality of users (col 4 lines 60-67, col 5 lines 1-9); and

a location control unit adapted to receive and maintain location information for said plurality of users, said location information correlated with said presence information, said location information being received from remote users having positioning controllers for receiving location information and communication controllers for transmitting said location information to said server via a wireless communication network 9col 6 lines 15-31); wherein

presence and location correlation rules are received from one or more network clients operable coupled to said server and associated with said remote users (col 6 lines 15-31).

Regarding claim 8, Murray teaches a telecommunications server in accordance with claim 7, wherein said network clients comprise one or more computers with graphical user interfaces including mapping features for setting said presence and location correlation rules (col 6 lines 43-61).

Regarding claim 9, Murray teaches a telecommunications server in accordance with claim 8, wherein said presence and location correlation rules comprise setting location, presence, and contact rules 9col 6 lines 15-61).

Regarding claim 10, Murray teaches a telecommunications server in accordance with claim 9, wherein said location information is received via a global positioning network (col 6 lines 43-61).

Regarding claim 11, Murray teaches a telecommunications server in accordance with claim 10, wherein said location information is transmitted via a cellular telephone network (col 4 lines 60-67, col 5 lines 1-9).

Regarding claim 12, Murray teaches a telecommunications method, comprising:

receiving one or more user positioning and presence correlation rules at a server, wherein positioning information is received from remote users having positioning controllers for receiving location information and communication controllers for transmitting said location information to said server via a wireless communication network (col 4 lines 60-67, col 5 lines 1-9); and

transmitting said one or more positioning and presence correlation rules to at least one of said remote users (col 6 lines 15-31).

Regarding claim 13, Murray teaches a telecommunications method in accordance with claim 12, further comprising:

receiving positioning updates at said remote user (col 3 lines 10-60); and

transmitting presence updates to via said server as specified in said one or more positioning and presence correlation rules (col 6 lines 20-60) .

Regarding claim 14, Murray teaches a telecommunications method in accordance with claim 13, wherein said receiving one or more user positioning and presence correlation rules

comprises receiving at said server one or more rules set via a network interface device operably coupled to said one or more local controllers (col 6 lines 21-60).

Regarding claim 15, Murray teaches a telecommunications method in accordance with claim 14, wherein said receiving positioning updates comprises receiving one or more signals from a global positioning network (col 6 lines 43-60).

Regarding claim 16, Murray teaches a telecommunications method in accordance with claim 15, wherein said wireless network comprises a cellular telephone network (col 3 lines 65-67, col 4 lines 1-8).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 17, is rejected under 35 U.S.C. 103(a) as being unpatentable over Murray (US patent Number 6,484,033 B2).

Regarding claim 17, Murray fails to teach a telecommunications method in accordance with claim 15, wherein said wireless network comprises a personal communication service (PCS) network. However, the examiner takes official

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notice that a telecommunications method in accordance with claim 15, wherein said wireless network comprises a personal communication service (PCS) network is well known in the art. Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching with Murray, in order to provide a communication system that operates on different frequencies band.

5. Claims 4, 18-20, are rejected under 35 U.S.C. 103(a) as being unpatentable over Murray (US patent Number 6,484,033 B2) in view of Rangarajan et al. (US Patent 6,757,544)

Regarding claim 4, Murray fails to teach a telecommunications system in accordance with claim 1, wherein said network clients include one or more graphical user interfaces (GUI) for inputting geographical information, presence status, and contact information via a mapping feature. However, Rangarajan teaches a telecommunications system in accordance with claim 1, wherein said network clients include one or more graphical user interfaces (GUI) for inputting geographical information, presence status, and contact information via a mapping feature (col 5 lines 5-39). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching with Murray, in order to provide a communication system that the user can access one or more of the services enabled by communication node through the use of inputs, and may direct the user through a series of graphical displays, and may also prompt the user for responses to those displays.

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Regarding claim 18, Murray teaches an apparatus for setting one or more location and presence correlation parameters for use by remote network devices having positioning controllers for receiving positioning signals and communication controllers for transmitting said positioning signals to a server (col 6 lines 21-60). Murray fails to teach a telecommunications system in accordance with claim 1, wherein said network clients include one or more graphical user interfaces (GUI) for inputting geographical information, presence status, and contact information via a mapping feature. However, Rangarajan teaches a telecommunications system in accordance with claim 1, wherein said network clients include one or more graphical user interfaces (GUI) for inputting geographical information, presence status, and contact information via a mapping feature (col 5 lines 5-39). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching with Murray, in order to provide a communication system that the user can access one or more of the services enabled by communication node through the use of inputs, and may direct the user through a series of graphical displays, and may also prompt the user for responses to those displays.

Regarding claim 19, Murray teaches an apparatus as recited in claim 18, wherein said location and presence correlation parameters comprise location, presence status, and contact parameters (col 6 lines 21-60). Murray fails to teach a telecommunications system in accordance with claim 1, wherein said network clients include one or more graphical user interfaces (GUI) for inputting geographical information, presence status, and contact information via a mapping feature. However, Rangarajan teaches a telecommunications system in accordance with claim 1, wherein said network clients include

one or more graphical user interfaces (GUI) for inputting geographical information, presence status, and contact information via a mapping feature (col 5 lines 5-39). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching with Murray, in order to provide a communication system that the user can access one or more of the services enabled by communication node through the use of inputs, and may direct the user through a series of graphical displays, and may also prompt the user for responses to those displays.

Regarding claim 20, Murray teaches an apparatus as recited in claim 18, wherein said positioning signals comprise global positioning system signals (col 6 lines 43-61). Murray fails to teach a telecommunications system in accordance with claim 1, wherein said network clients include one or more graphical user interfaces (GUI) for inputting geographical information, presence status, and contact information via a mapping feature. However, Rangarajan teaches a telecommunications system in accordance with claim 1, wherein said network clients include one or more graphical user interfaces (GUI) for inputting geographical information, presence status, and contact information via a mapping feature (col 5 lines 5-39). Therefore, it would have been obvious to ordinary skill in the art at the time the invention was made to combine the above teaching with Murray, in order to provide a communication system that the user can access one or more of the services enabled by communication node through the use of inputs, and may direct the user through a series of graphical displays, and may also prompt the user for responses to those displays.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mori (US Publication 2003/0130792 A1) disclose position measurement device terminal provided therewith, and position measurement method

Molilanen (US Publication 2003/0096622 A1) disclose location a wireless station

Chern et al. (US Publication 2003/0060211 A1) disclose location-based information retrieval system for wireless communication device

7. **Any responses to this action should be mailed to:**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naghmeh Mehrpour whose telephone number is 571-272-7913. The examiner can normally be reached on 8:00- 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold be reached (571) 272-7905.


The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NM

July 27, 2005


MELODY MENEZES
PATENT EXAMINER